

REMARKS

Reconsideration of the patentability of all of the claims of the referenced application is solicited in view of the above amendments and the following comments.

In the outstanding action, the examiner has indicated that all claims, except claims 11, 31 and 33 are considered to be allowable. Claim 33 was indicated to be allowable as well, except that it depends from claim 31, a rejected claim. Thus, the only substantial rejection that is still outstanding is directed to claims 11 and 31. It is pointed out that claim 31 depends from claim 11. Thus, if claim 11 was indicated to be allowable, claim 31 (and thence claim 33) would be allowable as well.

These two claims, 11 and 31, have been asserted to be unpatentable over the combination of the disclosures of the cited Ohkura et al. and Hoarty patents. This position of the examiner is respectfully traversed. The examiner's attention is directed to the amendment to claim 1 filed herein. This amendment adds certain aspects to the subject matter of rejected claim 11 that are entirely missing from either of the references that have been cited by the examiner in support of his rejection.

The examiner's position is based on his contention that the Hoarty reference discloses a three dimensional shaped EPG that is adapted to be used to display program choices after selecting multiple attributes. The three dimensional structure disclosed in the Hoarty patent is substantially different from the instant claimed three dimensional EPG. As disclosed in this reference, three coaxially rotatable cylinders are provided. A user can then select a desired attribute for each of these three cylinders. However, the selection does not provide for a two dimensional program table that shows three dimensions, nor does this reference disclose how such a result could be achieved. There is no disclosure in the Hoarty or the Ohkura et al. references of a two dimensional program table that actually shows three dimensions and whose two axes attributes can be arbitrarily selected by the user. Amended claim 11 does indeed provide this means which is not disclosed in the references.

According to the instant invention, the two axes attributes can be arbitrarily selected from among all program information attributes so that a two dimensional program table, having the two axes attributes can be displayed. According to this claimed invention, the two axes attributed can be selected such that various program tables, each having two arbitrarily selected axes attributes, can be provided as shown in Figs. 3A to 6A of the instant application. Because of such arbitrary selection of axes attributes, various combinations of two attributes can be obtained; please see the table shown in Fig. 7.

Thus, it should be clear that claim 11 provides a feature that is simply not present in the prior art. Therefore, even if it would have been appropriate to combine the teachings of the Hoarty et al. reference with the disclosure of the Ohkura reference, the above described and claimed attribute is still missing. This absence defeats any proposed *prima facie* obviousness that might have been tendered by the examiner. In the absence of a clear showing of *prima facie* obviousness by the examiner, the asserted rejection cannot be sustained.

It is believed that all of the objections and rejections that have been raised by the examiner have been attended to and that therefore, this application is in condition for allowance. Allowance of all claims of this application is solicited

Respectfully submitted,
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